

1 Heidi Li, Esq., SBN 202068
2 Matthew J. Webb, SBN 148228
3 The Law Offices of Matthew J. Webb
4 409 – 13th Street, Tribune Tower, 17th Floor
5 Oakland, CA 94612
6 Telephone: (510) 444-4224
7 Facsimile: (510) 444-4223

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9 Attorney for Plaintiffs
10 Juan Murillo, Maria Murillo, Martha Jimenez,
11 Amalia Rios and Maria Muñoz

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUAN MURILLO aka JUAN MANUEL) Case No: C07-02199 MEJ
MURILLO; MARIA MURILLO aka MARIA)
JUDITH MURILLO; MARTHA JIMENEZ;)
AMALIA RIOS aka AMALIA GALVAN RIOS;)
and MARIA MUÑOZ,)
Plaintiffs,)
vs.)
FRANCISCO CERVANTES; TERESA DIAZ;)
BOBBY RAY LEE; FIRST FEDERAL)
MORTGAGE BANKERS, INC. dba CITYWIDE)
PROPERTIES dba CITYWIDE HOME LOANS)
dba RAM CAPITAL CORP.; HAROLD)
BLANCO; EAGLE LITERACY GROUP, INC.;)
NEW CENTURY MORTGAGE CORP.; WELLS)
FARGO BANK, NA.; CHASE HOME)
FINANCE, LLC, OCWEN LOAN SERVICING,)
LLC and DOES 1-100,)
Defendants.)
)

WHEREAS, on April 20, 2007, plaintiffs Juan Murillo, Maria Murillo, Martha Jiminez, Amalia Rios and Maria Muñoz (“plaintiffs”) through their former attorney of record Housing and Economic Murillo, et al. v. Cervantes, et al. – (Case no. C07-02199 MEJ) - STIPULATION TO EXTEND TIME TO FILE INITIAL RESPONSIVE PLEADING AND TO EFFECTUATE SERVICE OF SUMMONS AND SECOND AMENDED COMPLAINT ON DEFENDANTS EAGLE LITERACY GROUP, INC. AND HAROLD BLANCO; [PROPOSED] ORDER

1 Rights Advocates (HERA) filed a Complaint for damages naming, among other defendants,
2 “JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC” (“Chase”), Ocwen Loan Servicing LLC
3 (“Ocwen”) and all other defendants named therein;”

4 WHEREAS, on June 27, 2007, plaintiffs filed a First Amended Complaint for damages
5 naming, among other defendants, Chase, Ocwen and all other defendants named therein;”

6 WHEREAS, on June 28, 2007, plaintiffs filed pursuant to Civil Local Rule 6-1(b) and Federal
7 Rule of Civil Procedure 6(b)(1) an Ex Parte Application Seeking Relief from Case Management
8 Schedule and Extending Time for Service of Summons and Complaint; [Proposed] Order.

9 WHEREAS, on July 10, 2007, this court issued an Order granting an extension of time of an
10 additional thirty (30) days time to complete service of the summons, amended complaint and other
11 required initial court issued papers on all defendants named in this action;

12 WHEREAS, plaintiffs filed a Substitution of Attorneys with this Court on August 22, 2007
13 substituting attorneys Matthew J. Webb, Esq. and Heidi M. Li, Esq., of the Law Offices of Matthew
14 Webb, as their attorney of record effective as of August 6, 2007, in place of and instead of Housing
15 and Economic Rights Advocates, in this action;

16 WHEREAS, on August 23, 2007, plaintiffs and Chase Home Finance (“Chase”), at the request
17 of legal counsel retained by Chase, filed a Stipulation Regarding Amendment to Complaint and to
18 Extend Time to File Responsive Pleading by Defendant Chase Home Finance LLC; [Proposed] Order;

19 WHEREAS, on August 27, 2007, this Court issued an Order approving the above-stated
20 parties’ requests contained in their August 23, 2007, Stipulation Regarding Amendment to Complaint
and to Extend Time to File Responsive Pleading by Defendant Chase Home Finance LLC;

21 WHEREAS, on August 28, 2007, plaintiffs filed a Second Amended Complaint for damages
22 pursuant to this court’s August 27, 2007 Order;

23 WHEREAS, on August 28, 2007, plaintiffs effectuated service of process of the Summons,
24 Second Amended Complaint and other required initial court papers on Chase Home Finance LLC by
25 first class mail delivery to its designated counsel;

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28 **Murillo, et al. v. Cervantes, et al. – (Case no. C07-02199 MEJ) - STIPULATION TO EXTEND TIME TO FILE INITIAL
RESPONSIVE PLEADING AND TO EFFECTUATE SERVICE OF SUMMONS AND SECOND AMENDED COMPLAINT
ON DEFENDANTS EAGLE LITERACY GROUP, INC. AND HAROLD BLANCO; [PROPOSED] ORDER**

1 WHEREAS, on August 31, 2007, plaintiffs effectuated service of process of the Summons,
2 Second Amended Complaint and other required initial court papers on Ocwen Loan Servicing, LLP
3 through service of its authorized agent for service of process;

4 WHEREAS, effective as of August 31, and September 12, 2007, plaintiffs effectuated service
5 of process of the Summons, Second Amended Complaint and other required initial court papers on all
6 other remaining defendants named in this proceeding except for two defendants: Eagle Literacy Group,
7 LLC and its employee defendant Harold Blanco;

8 WHEREAS, on August 31, 2007, plaintiffs undertook diligent efforts through a certified
9 process server to effectuate service of process on these remaining defendants at Eagle Literacy Group
10 LLC's last known and publicly listed business address: 224 Vernon Street, Roseville, California
11 94677, and a "vacant" office was found only at this address with a "For Rent" sign listed by "Eagle
12 Realty" in the front window;

13 WHEREAS, the basis for plaintiffs and defendants Chase and Ocwen's stipulating presently to
14 these two defendants having until and including October 22, 2007, to file an Answer or other initial
15 responsive pleading to plaintiffs' Second Amended Complaint was and is that these parties are
16 currently engaged in meaningful, early settlement negotiations regarding the plaintiffs' claims against
17 them;

18 WHEREAS, the basis for plaintiffs being granted a revised deadline until and including
19 October 22, 2007, to complete service of the Summons, Second Amended Complaint and other
20 required initial court papers on defendants: Eagle Literacy Group, LLC and Harold Blanco was and is
21 that plaintiffs have been engaging in good faith efforts to properly effectuate service of process on
22 these defendants;

23 WHEREAS, such relief as requested presently from the July 10 and August 27, 2007, Orders
24 issued by this court is warranted so as to best utilize this court's limited judicial resources and the
25 resources of plaintiffs and defendants Chase and Ocwen, who through their respective legal counsel,
26 are actively seeking in good faith: a) for plaintiffs, to effectuate service of process of the Summons,
27 Second Amended Complaint and other initial papers issued by this court on all named defendants;

28 **Murillo, et al. v. Cervantes, et al. – (Case no. C07-02199 MEJ) - STIPULATION TO EXTEND TIME TO FILE INITIAL
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1 and/or 2) for plaintiffs, Chase and Ocwen, to achieve an early settlement and/or resolution of
2 plaintiffs' legal claims against these particular defendants; and

3 WHEREAS, Good cause exists to approve this Stipulation as no other defendant parties as of
4 the date of this filing, except Chase and Ocwen, have filed an initial responsive pleading yet nor
5 appeared in the action except for Chase (by stipulation only) and Ocwen (by filing of a Pro Hac Vice
motion) and no prejudice will, as a consequence, result to any of the other remaining parties.

6 IT IS HEREBY STIPULATED by and between the parties as follows:

7 1. Defendants Chase and Ocwen shall have until and including October 22, 2007, to each
8 file an Answer or other initial responsive pleading to plaintiffs' Second Amended Complaint; and

9 2. Plaintiffs shall have until and including October 22, 2007, to complete service of the
10 Summons, Second Amended Complaint and other initial court papers on defendants Eagle Literacy
11 Group, LLC and Harold Blanco.

12 Respectfully Submitted,

13 Dated: Sept. 18, 2007

14 THE LAW OFFICES OF MATTHEW J. WEBB

15 By: / S/
16 HEIDI LI
17 Attorneys for Plaintiffs

18 Dated: Sept. 18, 2007

19 LAFAYETTE & KUMAGAI LLP

20 By: / S/
21 SUSAN T. KUMAGAI
22 Attorneys for Defendant
23 CHASE HOME FINANCE LLC

24 Dated: Sept. 18, 2007

25 O'MELVENY & MYERS LLP

26 By: / S/
27 BRIAN BROOKS, ESQ.
28 DAMALI A. TAYLOR, ESQ.
Attorneys for Defendant
OCWEN LOAN SERVICING LLC

Murillo, et al. v. Cervantes, et al. - (Case no. C07-02199 MEJ) - STIPULATION TO EXTEND TIME TO FILE INITIAL
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SIGNATURE ATTESTATION

As the attorney efiling this document with the court, I hereby attest that I have on file all holograph signatures for any and all signatures indicated by a "conformed" signature (/S/) within this efiled document.

DATED: Sept. 19, 2007

LAW OFFICES OF MATTHEW J. WEBB

By: _____ / S / _____
Heidi Li, Esq.

ORDER

The Court has reviewed the plaintiffs and defendants Chase and Ocwen's Stipulation to Extend Time to File Initial Responsive Pleading and to Effectuate Service of Process of Summons and Second Amended Complaint on Defendants Eagle Literacy Group LLC and Harold Blanco; [Proposed] Order and based upon the foregoing, and GOOD CAUSE APPEARING,

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that:

1. Defendants Chase and Ocwen shall have until and including October 22, 2007, to each file an Answer or other initial responsive pleading to plaintiffs' Second Amended Complaint; and
 2. Plaintiffs shall have until and including October 22, 2007, to complete service of the Summons, Second Amended Complaint and other initial court papers on defendants Eagle Literacy Group, LLC and Harold Blanco.

IT IS SO ORDERED this 24th day of September , 2007.

